

**UNITED STATES DISTRICT COURT**  
 for the  
 Northern District of California

Alexis Bautista )  
 )  
 )  
 v. ) Case No.: C07-5434 (CW)  
 City and County of San Francisco, et al. )  
 )

**Bill of Costs**

Judgment having been entered in the above entitled action on 8/20/08 against Plaintiff Alexis Bautista,  
 Date

the Clerk is requested to tax the following as costs:

Fees of the Clerk .....	\$ <u>350.00</u>
Fees for service of summons and subpoena .....	<u>87.50</u>
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case	<u>733.45</u>
Fees and disbursements for printing .....	<u>0.00</u>
Fees for witnesses (itemize on page two) .....	<u>41</u>
Fees for exemplification and copies of papers necessarily obtained for use in the case .....	<u>0.00</u>
Docket fees under 28 U.S.C. 1923 .....	<u>0.00</u>
Costs as shown on Mandate of Court of Appeals .....	<u>0.00</u>
Compensation of court-appointed experts .....	<u>0.00</u>
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 .....	<u>0.00</u>
Other costs (please itemize) .....	<u>0.00</u>
<b>TOTAL \$ <u><del>1,211.95</del></u></b>	

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

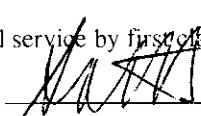
**Declaration**

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

Electronic service by e-mail as set forth below and/or.

Conventional service by first-class mail, postage prepaid as set forth below.

s/ Attorney:



Name of Attorney: Scott D. Wiener, Deputy City Attorney

For: Defendants City and County of San Francisco, et al. Date: 9/3/08

Name of Claiming Party

Costs are taxed in the amount of \_\_\_\_\_ and included in the judgment.

By:

Deputy Clerk

Date

Clerk of Court

UNITED STATES DISTRICT COURT

**WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)**

## NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of customs."

"Before any bill of costs is taxed, the party claiming any item of costs or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

**The Federal Rules of Civil Procedure contain the following provisions:**  
**RULE 54(d)(1)**

#### Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs - other than attorney's fees - should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 1 day's notice. On motion served within the next 5 days, the court may review the clerk's action.

## RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

**RULE 58(e)**

### Costs for Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective in order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

United States District Court, Northern District of California  
Alexis Bautista v. City and County of San Francisco, et al.  
Case No. C07-5434 (CW)

ATTACHMENT TO BILL OF COSTS

**Itemization and documentation for requested costs**

Attachment A - **Fees for the court reporter** for all or any part of the transcript necessarily obtained for use in the case

Date	Description	Amount
6/28/08	Bonnie Wagner – Deposition of Alexis Bautista, 3/24/08 (non-appearance fee)	\$150
6/30/08	Bonnie Wagner – Deposition of Alexis Bautista, 5/7/08 (non-appearance fee)	\$175
6/30/08	Bonnie Wagner – Deposition of Rene Gallardo, 5/8/08	\$408.45
<b>TOTAL</b>		<b>\$733.45</b>

Attachment B - **Other costs**

Date	Description	Amount
1/23/08	Rene Gallardo – Deposition witness fee	\$41.00
10/17/07	Initial filing fee for filing of removal petition (filed 10/24/07)	\$350
3/4/08	Rene Gallardo – Service attempt for deposition subpoena on 1/28/08	\$87.50
<b>TOTAL</b>		<b>\$478.50</b>

Bautista v. City and County of San Francisco, et al.

Case No. C07-5434 CW

Bill of Costs

Attachment A

*5/20/08*  
**Invoice**

**BONNIE WAGNER**  
**COURT REPORTING SERVICE**  
**41 SUTTER STREET, STE. 1605**  
**SAN FRANCISCO, CA 94104**  
**(415) 982-4849**  
**TAX ID 205-44-4381**

DATE | INVOICE #

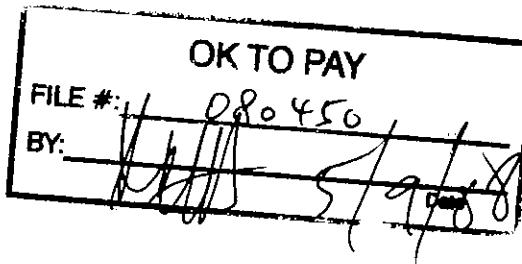
4/4/2008 17845

**BILL TO:**

Scott D. Wiener  
 Deputy City Attorney  
 Office of the City Attorney  
 1390 Market Street, 6th Floor  
 San Francisco, CA 94102

Bautista vs CCSF, et al

DESCRIPTION	AMOUNT
Reporter's Appearance Fee re: Scheduled Deposition on 03/10/08 (Same-day cancellation)	150.00



**TOTAL** \$150.00

**Invoice**

**BONNIE WAGNER**  
**COURT REPORTING SERVICE**  
**41 SUTTER STREET, STE. 1605**  
**SAN FRANCISCO, CA 94104**  
**(415) 982-4849**  
**TAX ID 205-44-4381**

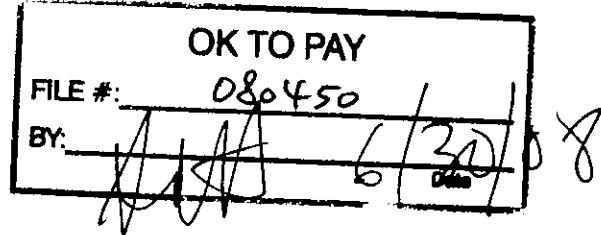
DATE	INVOICE #
5/7/2008	17965

**BILL TO:**

Scott D. Wiener  
 Deputy City Attorney  
 Office of the City Attorney  
 1390 Market Street, 6th Floor  
 San Francisco, CA 94102

Alexis Bautista, et al vs CCSF, et al  
 U.S. District Court, Northern District  
 Case No. C07-5434 CW

DESCRIPTION	AMOUNT
Reporter's Appearance Fee on 05/07/08	175.00



**TOTAL** \$175.00

**Invoice**

**BONNIE WAGNER**  
 COURT REPORTING SERVICE  
 41 SUTTER STREET, STE. 1605  
 SAN FRANCISCO, CA 94104  
 (415) 982-4849  
 TAX ID 205-44-4381

DATE	INVOICE #
5/14/2008	17970

**BILL TO:**

Scott D. Wiener  
 Deputy City Attorney  
 Office of the City Attorney  
 1390 Market Street, 6th Floor  
 San Francisco, CA 94102

Alexis Bautista, et al vs CCSF, et al  
 U.S. District Court, Northern District  
 Case No. C07-5434 CW

DESCRIPTION	AMOUNT
Deposition of Rene A. Gallardo	
Reported on 05/08/08	
Original and one copy (72 Pages & 1/2 Day Per Diem)	356.00
Certification Fee	30.00
Exhibits	2.45
Handling	20.00

OK TO PAY	
FILE #:	080450
BY:	<i>Wagner 6/30/08</i>

**TOTAL** \$408.45

Bautista v. City and County of San Francisco, et al.

Case No. C07-5434 CW

Bill of Costs

Attachment B

CITY AND COUNTY OF SAN FRANCISCO

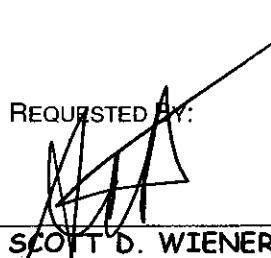
OFFICE OF THE CITY ATTORNEY

DENNIS J. HERRERA  
City Attorney**CHECK REQUEST** **RUSH!!**CHECK NEEDED BY: Date: ASAP Time: \_\_\_\_\_MAKE CHECK PAYABLE TO: Rene Gallardo  
Address: 1794 Dolores Street, #3  
San Francisco, CA 94110

Tax ID or SS#: \_\_\_\_\_

IN THE AMOUNT OF: \$ 41.00Plaintiff's Expert?  Yes  NoFOR:  See attached. Deposition Witness Fee (For Deposition scheduled for March 31, 2008)CHARGE TO: Case Name: Alexis Bautista v. CCSF, et al.  
Court Number: CGG-07-467555- USPC # C07-5434 CW  
File Number: 080450  
Department: SFPDWHEN CHECK IS READY CALL: Name: Helen Lau  
Number: 554-3846Dated: Tuesday, January 22, 2008

REQUESTED BY:

  
SCOTT D. WIENER

, Deputy City Attorney

BANK OF AMERICA N.T. & S.A.  
San Francisco, CA

## CITY AND COUNTY OF SAN FRANCISCO

PAYABLE AT ANY BANK IF PRESENTED WITHIN NINETY DAYS

1600-3492821

11-35  
12101600 -03492821  
DATE  
01/24/2008

PAY

FORTY ONE DOLLARS AND NO CENTS

AMOUNT
\$ *****41.0

TO THE  
ORDER OFRENE GALLARDO  
1794 DOLORES ST, #3  
SAN FRANCISCO CA 94110
  
Edward Harrington  
CONTROLLER

#60034928210 1210003580 14990080080#

THE ORIGINAL DOCUMENT HAS A REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENT.

CCOT164762 01

01/24/2008

1600 03492821

DOCUMENT NUMBER	DOC REF NUMBER	AMOUNT
DESCRIPTION		
OTCT0800094401		41.00
*CT012208*DEPO WITNESS FEE (080450 / C07-5434)		

01/24/2008 41.00

RENE GALLARDO  
1794 DOLORES ST, #3  
SAN FRANCISCO CA 94110

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CITY ATTORNEY

DENNIS J. HERRERA  
City Attorney

Hand delivered  
A/c - 10/17/07

## CHECK REQUEST

RUSH!!

CHECK NEEDED BY: Date: Friday, October 19, 2007 Time: A.M.

MAKE CHECK PAYABLE TO: US District Court  
 Address: P.O. Box 36060  
San Francisco, CA 94102

Tax ID or SS#: \_\_\_\_\_

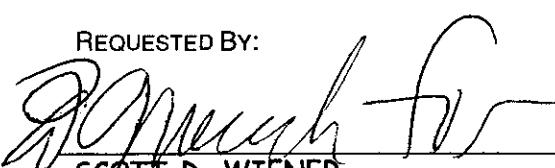
IN THE AMOUNT OF: \$ 350.00Plaintiff's Expert?  Yes  NoFOR:  See attached. Removal Fee

CHARGE TO: Case Name: Alexis Bautista v. CCSF, et al.  
 Court Number: CGC-07-467555  
 File Number: 080450  
 Department: SFPD

WHEN CHECK IS READY CALL: Name: Helen Lau  
 Number: 554-3846

Dated: Tuesday, October 17, 2007

REQUESTED BY:

  
 SCOTT D. WIENER, Deputy City Attorney

RICHARD W. WIEKING  
CLERK450 GOLDEN GATE AVE., BOX 36060  
SAN FRANCISCO, CA 94102  
(415) 522-2000**FEE SCHEDULE SUMMARY**

(Effective July 1, 2006)

Civil case filing fee,	\$350.00
Notice of Appeal filing fee,	455.00
<i>Habeas Corpus</i> petition filing fee,	5.00
Filing fee for civil action brought under Title III of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (this fee is in addition to \$350 civil case filing fee),	5431.00
Filing or indexing any document not in a case or proceeding for which a filing fee has been paid (miscellaneous matter),	39.00
For every search of the records, per name or item searched (this fee shall be applicable to the United States if the information requested is available through electronic access),	26.00
For every search of court records conducted by the PACER Service Center, per name or item searched,	26.00
For certification of any document, whether made directly on the document or by separate instrument,	9.00
For exemplification of any document or paper,	18.00
For reproducing any record or paper, per page, whether from original documents or from microfiche or microfilm reproductions of original records (this fee shall apply to services rendered on behalf of the United States if the record or paper is available through electronic access),	.50
For the PACER Service Center to reproduce on paper any record pertaining to a PACER account, if this information is remotely available through electronic access, per page,	.50
For printing copies of any record or document accessed electronically at a public terminal in the courthouse (this fee shall apply to services rendered on behalf of the United States if the record requested is remotely available through electronic access),	
For reproduction of recordings of proceedings, including cost of materials,	26.00
For retrieval of a record from the Federal Records Center or National Archives,	45.00
For a check paid into the court which is returned for lack of funds, 45.00	
For a check paid to the PACER Service Center which is returned for lack of funds,	45.00
For an appeal to a district judge from a judgment of conviction by a magistrate judge in a misdemeanor case,	32.00
Power of attorney fee (per attorney, per company),	39.00
For admission of attorney to practice, including Certificate of Admission, 210.00	
For admission of an attorney <i>pro hac vice</i>	210.00
For a duplicate Certificate of Admission or Certificate of Good Standing,	15.00
For remote electronic access to court records via a federal judiciary Internet site, per page, with the total fee per	

(Note: the electronic access fee shall apply to the United States; the 30-page fee limit shall not be applicable to transcripts of federal court proceedings; and, no fee will be charged to view documents at the courthouse.)

document not to exceed the fee for 30 pages,

## CITY AND COUNTY OF SAN FRANCISCO

BANK OF AMERICA N.T. & S.A.  
San Francisco, CA

PAYABLE AT ANY BANK IF PRESENTED WITHIN NINETY DAYS

1600-3448169

11-35  
1210

AY

1600 -03448169  
DATE  
10/18/2007

THREE HUNDRED FIFTY DOLLARS AND NO CENTS

AMOUNT  
\$ \*\*\*\*\*350.00THE  
ORDER OFU S DISTRICT COURT  
P O BOX 36060  
SAN FRANCISCO CA 94102*Edward Harrington*  
CONTROLLER

6003448169 1210003581 14990 80080

THE ORIGINAL DOCUMENT HAS A REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENT.

53152

01

10/18/2007

1600 03448169

DOCUMENT NUMBER	DOC REF NUMBER	AMOUNT
DESCRIPTION		
RCT0800042801		350.00
CT101707*REMOVAL FEE		
RCT0800042802		.00
CITY ATTORNEY'S OFFICE 080450/CGC-07-467555		

10/18/2007 350.00

U S DISTRICT COURT  
P O BOX 36060  
SAN FRANCISCO CA 94102



41 Sutter Street, Suite 1777  
San Francisco, California 94104  
(415) 487-1750 Fax: (415) 278-9918

**INVOICE**  
Invoice No. 49138

**Invoice Date:** January 28, 2008

**Reference #:** 080450

**Client Code:** CA217

**Case No:** C07-5434 EMC

OFFICE OF THE CITY ATTORNEY  
Attn: SCOTT WIENER SB#189266  
1390 MARKET STREET, 6TH FLOOR  
SAN FRANCISCO, CA 94102-

**Court:** UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF  
CALIFORNIA

**Plaintiff:** ALEXIS BAUTISTA,

**Defendant:** CITY AND COUNTY OF SAN  
FRANCISCO, ET AL.,

**Document(s):** SUBPOENA IN A CIVIL CASE;

**Report:** ATTEMPTED SERVICE ON RENE GALLARDO AT 1794  
DOLORES STREET, #3, S.F., CA AT 1:45 PM, HE WASN'T HOME. 6:45 PM, SERVED  
PERSONALY.

<b>Services Performed:</b>	<b>Qty</b>	<b>Price each</b>	<b>Total</b>
Service of Process	2	\$40.00	\$80.00
Vehicle Sur Charge	1	\$7.50	\$7.50

**Fee Advance:** \$0.00

**Fee Advance Charge:** \$0.00

OK TO PAY	
FILE #:	080450
BY:	<i>[Signature]</i> 3/4/08 Date

**TOTAL INVOICE:** \$87.50

**PAYMENT(S):** \$0.00

**AMOUNT DUE:** \$87.50

Terms: Net 30 days